

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educators)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Russell J. Truesdale)	
)	
Certificate # 197261)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on July 8, 2003. On December 18, 2002, the State Department of Education (Department) sent Mr. Russell J. Truesdale a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Mr. Truesdale did not sign a postal receipt and the notice was returned stamped "unclaimed." The United States Postal Service indicated that he moved and left no forwarding address. The hearing notice was then published in the Lexington Chronicle for three weeks. Mr. Truesdale did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Mr. Truesdale, the State Board voted to suspend Mr. Truesdale's certificate for one year.

Mr. Truesdale holds a valid certificate, and has over three years of teaching experience. He was under contract with the Lexington County School District One (District) as an English teacher at While Knoll High School for the 2002-2003 school year. On September 30, 2002, Mr. Truesdale submitted a written resignation, effective immediately based on severe financial difficulties. On October 11, 2003, District officials notified him in writing that he would not be released, in accordance with District policy, until a suitable replacement was found. In spite of this communication, Mr. Truesdale failed to return to work after September 30th, and has not been in contact with the District since that time. On October 15, 2003, the District Board voted unanimously to request the suspension of Mr. Truesdale's certificate for one calendar year,

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Mr. Truesdale's certificate # 197261 for a period of one year from July 8, 2003, through July 7, 2004, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if he wants his certificate reinstated, Mr. Truesdale may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Greg Killian

Greg Killian

Chair

Columbia, South Carolina

July 8, 2003